REMARKS

Claims 1-37 currently remain in the application.

Interview Summary

The applicant respectfully thanks the Examiner for the time spent during the personal interview on July 23, 2004. During the interview, the prior art references of Vuong, Ng and Olson were discussed.

Rejections under 35 U.S.C. § 103(a)

The examiner rejected claims 1-9, 11-23 and 25-32 and 33-37 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Vuong et al., U.S Patent 5,762, 552 in view of Ng. The applicant respectfully traverses this rejection.

The present invention, as recited in claim 1 for instance, describes "the gaming machine is capable of providing one or more game services, including downloading <u>game software application data for use by game software executing on another gaming machine and downloading</u> game software for <u>execution on another gaming machine receiving the downloaded game software</u>, to the plurality of gaming machines within the network of gaming machines and wherein the gaming machine is capable of downloading a first game software for playing a first game to a second gaming machine in the network of gaming machines wherein the second gaming machine executes the first game software to generate the first game on the second gaming machine and wherein the first game played on the second gaming machine comprises: receiving a first wager on a first game outcome for the first game, generating the first game outcome of the first game on the second gaming machine and displaying the first game outcome."

Vuong teaches sending information regarding an outcome of game from a game server to a gaming machine but not sending game software. Examiner in Office Communication of 6/03/04 states, "Voung does not disclose the game information being downloadable game software and a memory for storing downloadable game software for different generating different types of games played on a played on a plurality of gaming machines and the ability to download game software to a plurality of gaming machines. The Examiner relies on Ng to overcome the deficiencies stated in regards to Vuong.

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Ng teaches method and apparatus for communicating between a hand-held electronic game apparatus and other electronic systems (Abstract). The present invention, as recited in claim 1, describes a first gaming machine capable of downloading game software for execution on a second gaming machine receiving the downloaded game software. The first gaming machine and the second gaming machine both generate wagering-type games of chance and the first gaming machine is capable of downloading game software to the second gaming machine that can be executed by the second gaming machine to generate a wager-type game of chance.

Ng differs from the present invention in a number of ways. First, Ng does not teach or suggest downloading software for generating wager-type games of chance. In addition, in Ng, a first hand-held gaming apparatus is not capable of downloading game software to a second hand-held gaming apparatus where the game software is executed by the second hand-held gaming apparatus. The hand-held gaming devices execute logic "pre-programmed" on an EEPROM and exchange information with one another by writing to a RAM on the EEPROM. (Cols. 8, line 30- Col. 11, line 5, see commands in Cols. 9 and 10).

In general, changing the software on an EEPROM is slow and requires a special "chip burner." In Ng, the use of an EEPROM programming device, such as a chip burner, is not described. Ng describes that the hand-held gaming apparatus may be upgraded from a central system when it is connected to a PC but it is not clear that the logic burned into the EEPROM on the hand-held gaming apparatus is changed. It is clear, however, in Ng, that a first hand-held gaming apparatus does not download game software to a second hand-held gaming apparatus where the game software is executed by the second hand-held gaming apparatus. In Ng, only data generated from playing the game is exchanged. Therefore, the combination of Vuong and Ng can't be said teach or suggest downloading game software from a first gaming machine to a second gaming machine for execution by the second gaming machine as recited in claims 1-28 and 33-37 because neither reference teaches downloading game software from a first gaming machine to a second gaming machine.

The examiner rejected claims 29-32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Vuong et al., U.S Patent 5,762, 552 in view of Ng in further view of Olsen. The applicant respectfully traverses this rejection.

Examiner has admitted combination of Vuong and Olsen does not teach the limitations of the present invention. As described above, Ng does not teach or suggest downloading game software for a wagering-type game of chance between a first gaming machine and a second gaming machine. Examiner has stated the combination of Vuong and Olsen does not teach this limitation. Therefore, for at least the reasons described above, the combination of Vuong, Ng and

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Olsen can't be said to anticipate or render obvious the invention as recited in claims 29-32 and the rejection is believed overcome thereby.
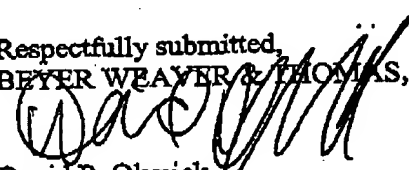
In addition Examiner states that is notoriously well known to alter game jurisdiction information based upon location with a wagering device due to a wide variety of federal, state and local governments. Applicant agrees that game jurisdiction information varies from jurisdiction to jurisdiction. Traditionally, this information is programmed on the gaming machine before it is shipped. Local, on-site configuration of such information via a transfer between a first gaming machine and a second gaming machine is not described in the prior art and applicant respectfully requests the Examiner to provide prior art teaching or suggesting this assertion by the Examiner.

The examiner rejected claims 10, 14 and 24 under 35 U.S.C. § 103(a), as being unpatentable over Vuong, et al., in view of Ng and in further View of Weiss (U.S. Patent no. 5, 611, 730). The rejection is respectfully traversed.

Weiss does not describe game downloading. The combination of Vuong and Ng as described above with respect to claims 1-9, 11-23, 25-32 and 33-37 does not teach or suggest game downloading in the manner described for these claims. Thus, the combination of Vuong, Ng and Weiss do not teach or suggest game downloading as described in claims 10, 14 and 24. Therefore, for at least these reasons, the combination of Vuong and Weiss can't be said to render obvious claims 10, 14 and 24 and the rejection is believed overcome thereby.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
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